

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT PENNSYLVANIA

'06 FEB 10 PM 12:08

LOCAL UNION NO. 459 OF THE
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO,

Plaintiff,

vs.

PENNSYLVANIA ELECTRIC
COMPANY, A FIRST ENERGY
COMPANY,

Defendant.

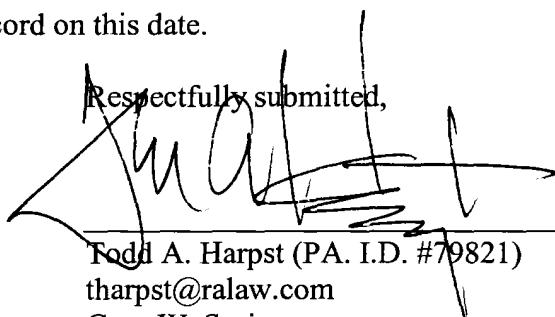
CLERK
U.S. DISTRICT COURT

CASE NO. 04-347E

MOTION TO REOPEN CASE

Now comes Defendant, Pennsylvania Electric Company, and hereby moves to reopen the instant case. This is requested for the limited purpose of correcting the record of a status conference held on April 28, 2005. The reasons this is necessary are set forth in a separate Motion being made with respect to the record on this date.

Respectfully submitted,

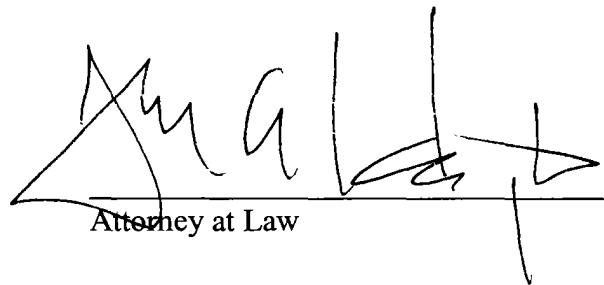

Todd A. Harpst (PA. I.D. #79821)
tharpst@ralaw.com
Gary W. Spring
gsping@ralaw.com
Roetzel & Andress, LPA
222 South Main Street
Akron, OH 44308
Telephone: 330.376.2700
Facsimile: 330.376.4577

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing has been served upon the following parties via regular U.S. Mail, postage prepaid this 9th day of February, 2006:

Marianne Oliver, Esq.
Gilardi Cooper & Lomupo
223 Fourth Ave., 10th Floor
Pittsburgh, PA 15222



A handwritten signature in black ink, appearing to read "Marianne Oliver". Below the signature, the text "Attorney at Law" is printed in a smaller, sans-serif font.

1324477.01.112763.0002



222 SOUTH MAIN STREET
AKRON, OH 44308
330.849.6654 DIRECT
330.376.2700 MAIN
330.376.4577 FAX
gspring@ralaw.com

February 9, 2006

VIA FEDERAL EXPRESS

Clerk of Courts
U.S. District Court
Erie Division
17 South Park Row
Erie, Pennsylvania 16501

**Re: Local Union No. 459 v. Pennsylvania Electric Company
Civil Action No.: 04-347E**

Dear Clerk:

Enclosed with this letter please find an original and two copies of the following:

1. Motion to Reopen Case; and
2. Motion to Correct the Record.

Kindly file the originals and returned a time-stamped copy of same to the undersigned. A self-addressed stamped envelope is enclosed for your convenience.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary W. Spring".

Gary W. Spring

GWS/pamk
Enclosures
cc w/enc.: Marianne Oliver, Esq.
1235254/112763/0002